



DIVISION OF  
ENFORCEMENT

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
DENVER REGIONAL OFFICE  
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July 11, 2019

Honorable Denise Cote  
U.S. District Court for the  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1610  
New York, NY 10007

**Re: *SEC v. Alpine Securities Corporation, 1:17-CV-04179-DLC-RLE***

Dear Judge Cote:

Pursuant to the Court's Individual Practices 4.A and 3.D and pursuant to the Court's Order dated July 12, 2018 [ECF No. 145], Plaintiff United States Securities and Exchange Commission ("SEC") hereby requests to file exhibits containing excerpts of a transcript of the deposition of Christopher L. Frankel for Alpine Securities Corporation and excerpts of Alpine's non-public financial records under seal. In the Court's July 12, 2018 Order, the Court stated that "the parties may file redacted and placeholder materials in connection with the summary judgment briefing on ECF without first obtaining the approval of the Court to the extent that the materials are similar to those for which such approval has already been given in connection with the motions for partial summary judgment." Both parties have continued to file documents under seal in this matter.

The deposition transcript of Mr. Frankel is Exhibit 1 and is confidential and Bank Secrecy Act material under the Court's protective order. Exhibit 2 contains Alpine financial records filed with the SEC that are designated as confidential and are the same type of records Alpine requested to file under seal in connection with its Opposition. [ECF No. 204].

In addition, the SEC requests to file its Reply in Support of the SEC's Motion for Remedies ("Reply") redacted to protect information contained in the exhibits the SEC requests to file under seal and certain information Alpine has requested to redact or file under seal. The SEC also requests to file Exhibit 5, Declaration of Eric M. Turnbaugh, redacted because it contains personally identifiable information. The SEC further requests to file the Declaration of Zachary T. Carlyle redacted to protect descriptions of records that Alpine has requested be redacted or filed under seal in connection with its Opposition.

The SEC will submit electronic copies of the unredacted Reply and Declaration of Zachary T. Carlyle and exhibits filed under seal by email to the Court's chambers. The SEC will also deliver two hard copies of these documents, the Motion, and all other memoranda, exhibits, and declarations filed by both parties in connection with the Motion to the Court's chambers.

Based on the foregoing, the SEC requests that the Court permit the SEC to submit the sealed exhibits described above to the Court's chambers and file the redacted Reply and Declaration as set forth above.

Sincerely,

/s/ Zachary T. Carlyle

Zachary T. Carlyle (*pro hac vice*)

Terry R. Miller (*pro hac vice*)

cc: Counsel of Record